

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON NOVEMBER 23, 2004, WITH THE FOLLOWING MEMBERS PRESENT: MARY C. WALKER, PRESIDENT AND ROBERT L. PROUD, VICE PRESIDENT. R. SCOTT CROSWELL III, MEMBER WAS NOT PRESENT AT THIS TIME. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 11:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 195-04/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number **195-04** resolving to sign all Recap Sheets covering all bills presented this date and authorizing payment of same except as noted.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mrs. Walker, Yes; Mr. Croswell, Absent.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...ENTERPRISE ZONE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF UNION TOWNSHIP, CLERMONT COUNTY, OHIO, THE BOARD OF COMMISSIONERS OF CLERMONT COUNTY, OHIO, MELINK CORPORATION AND MELINK PROPERTIES LLC FOR THE EXEMPTION OF REAL AND PERSONAL PROPERTY TAXES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ENTERPRISE ZONE IN THE COUNTY OF CLERMONT, OHIO...04-1117-001...RATIFIED

LET THE RECORD SHOW: *Commissioner Croswell joined session at this time.*

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Enterprise Zone Agreement by and between the Board of Trustees of Union Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Melink Corporation, an Ohio Corporation with its main offices located at 6802 Miami Avenue, Cincinnati, Ohio 45243, and Melink Properties LLC, an Ohio Corporation with its main offices located at 6890 Drake Road, Cincinnati, Ohio 45243, for the granting of a sixty (60) percent tax exemption for five (5) years on real property improvements, and a sixty (60) percent tax exemption for five (5) years on all machinery, equipment, furniture and fixtures, and inventory above baseline made as part of the PROJECT as identified in the referenced agreement said exemptions commencing no later than Tax Year 2007 and not extending beyond Tax Year 2011, pursuant to Section 5709.61 through 5709.69 inclusive of the Ohio Revised Code and in compliance with the terms and conditions set forth therein in consideration of the investment to be made by Melink Corporation and Melink Properties LLC for the expansion and retention of economic development, as well as, the preservation and creation of employment opportunities within the designated boundaries of the Rural Jobs and Enterprise Zone in the County of Clermont, Ohio, and to direct the Clerk of the Board to forward the aforementioned agreement by and between the Board of Trustees of Union Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, Melink Corporation and Melink Properties LLC to the Ohio Department of Development, the Ohio Department of Taxation, and the Clermont County Auditor.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: OFFICE OF ECONOMIC DEVELOPMENT...AGREEMENT
DESIGNATING THE CLERMONT COUNTY CIC, INC. AS ITS AGENCY
AND INSTRUMENTALITY FOR INDUSTRIAL, COMMERCIAL,
DISTRIBUTION AND RESEARCH DEVELOPMENT IN THE
COUNTY...04-1112-004...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement by and between the Board of County Commissioners, Clermont County, Ohio, and the Clermont County CIC, Inc., 756 Old SR 74, Suite C, Cincinnati, Ohio 45245, pursuant to and in compliance with Section 1724.10 of the Ohio Revised Code, designating the Clermont County CIC, Inc. as its agency for industrial, commercial, distribution and research development in the County and, as such agency and instrumentality, will participate in carrying out the Economic Development Strategy Plan for the County of Clermont, Ohio, effective 11/23/04, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF
SERVICE AGREEMENT WITH MID-WESTERN CHILDREN'S HOME
FOR THE PROVISION OF GROUP HOME, FOSTER CARE AND
ADOPTION SERVICES FOR SAME...04-1116-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of Cynthia DeWitt, Assistant County Administrator, to execute the Purchase of Service Agreement by and between the County of Clermont, Ohio and Mid-Western Children's Home, 4585 Long-Spurling Road, P.O. Box 48, Pleasant Plain, Ohio, 45162, for the provision of group home, foster care and adoption services for children in the care and/or custody of the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rates as defined therein, effective for the period of 11/01/04 through 10/31/05, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND
DEVELOPMENT...MODIFYING THE ADMINISTRATIVE ROLES AND
RESPOSIBILITIES NARRATIVE WITHIN THE CLERMONT COUNTY
FISCAL YEAR 2004-2006 COMMUNITY HOUSING IMPROVEMENT
PROGRAM GRANT APPLICATION...04-0421-002...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of David L. Spinney, County Administrator, to modify the administrative Roles and Responsibilities narrative within the Clermont County Fiscal Year 2004-2006 Community Housing Improvement Program (CHIP) Grant Application, previously approved by the Board on 05/26/04, to strengthen the County's ability to independently administer and implement this new program opportunity.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...PROFESSIONAL SERVICES CONTRACT WITH CHRIS WOJNO CONSULTING FOR THE ADMINISTRATION AND IMPLEMENTATION OF CLERMONT COUNTY'S FISCAL YEAR 2004-2006 COMMUNITY HOUSING IMPROVEMENT PROGRAM...04-1013-006...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Department of Community Planning and Development, with concurrence of David L. Spinney, County Administrator, to execute the Professional Services Contract by and between the County of Clermont, Ohio and Chris Wojno Consulting, 2429 Dale Avenue, Bexley, Ohio 43209, for the administration and implementation of the Fiscal Year 2004-2006 Community Housing Improvement Program (CHIP) Grant for Clermont County, in the amount not to exceed \$70,000.00, effective through 10/31/06, pursuant to the terms and conditions set forth therein, contingent upon the successful award of the Fiscal Year 2004-2006 CHIP Grant in the amount of \$555,000.00, the receipt of and approval of stated insurance requirements per the terms and conditions set forth therein, and the subsequent issuance of a purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...DEPARTMENT OF PUBLIC SAFETY SERVICES...RENEWAL OF MAINTENANCE AGREEMENT WITH STROHL SYSTEMS GROUP, INC. FOR LIVING DISASTER RECOVERY PLANNING SOFTWARE AND EXECUTION OF ADDENDUM FOR SAME...03-0929-006...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Beth Nevel, Director, Department of Public Safety Services, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to renew the Maintenance Agreement by and between the County of Clermont, Ohio, and Strohl Systems Group, Inc., 631 Park Avenue, King of Prussia, Pennsylvania 19406, previously ratified by the Board on 10/07/03, for the Living Disaster Recovery Planning

Software, and to execute an Addendum to the original agreement for an additional four-years maintenance, in the total amount not to exceed \$17,992.00, effective for the period of 01/01/05 through 12/31/08, pursuant to the terms and conditions set forth therein, and contingent upon the adoption of the Annual Appropriations for Fiscal Year 2005 and the issuance of a purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...DEPARTMENT OF PUBLIC SAFETY SERVICES...LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)...ACCEPTANCE AGREEMENT FOR HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT PROGRAM (HMEP) - 12TH YEAR 2005 GRANT FUNDING...04-0921-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Elizabeth Nevel, Director, Department of Public Safety Services, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute the Acceptance Agreement for the Hazardous Materials Emergency Preparedness Grant Program, 12th Year 2005 Grant Funding, to receive funds through the State Emergency Response Commission (SERC), 2855 West Dublin-Granville Road, Columbus, Ohio 43235, in conjunction with the Ohio Emergency Management Agency (OEMA) and the State Fire Marshal's Office, for planning and training for the Local Emergency Planning Committee, for a federal grant amount for planning in the amount of \$2,688.00, with a local match of \$672.00 from the Special Emergency Plan Fund, for a total of \$3,360.00, and a federal grant for training in the amount of \$2,000.00, with a local match of \$500.00 from the Special Emergency Plan Fund, for a total of \$2,500.00, effective for the period of 10/01/04 through 09/30/05, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: CLERMONT COUNTY SEWER DISTRICT...RESOLUTION NUMBER 196-04/RESOLUTION AUTHORIZING ACCEPTANCE OF A 12-INCH WATER MAIN LOCATED IN THE IVY TRAILS SUBDIVISION, SECTION 1, WITHIN UNION TOWNSHIP, AS PART OF THE COUNTY WATER SYSTEM AND AUTHORIZING PAYMENT OF \$46,151.24 FOR OVERSIZING REQUIRED BY THE COUNTY...04-1117-002...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mark Jaehnen, Engineering Coordinator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **196-04** accepting approximately 3,671 feet of a 12-inch water main located in the Ivy Trails Subdivision, Section 1, within Union Township, as part of the County Water System; and authorizing payment in the amount of \$46,151.24 to Ivy Trails LLC, 4212 Airport Road, Cincinnati, Ohio 45226, for the value of the oversizing of said water main.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: CLERMONT COUNTY SEWER DISTRICT...RELEASE OF
MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF
WATER AND/OR SANITARY SEWER MAIN EXTENSIONS LOCATED
IN MIAMI AND UNION TOWNSHIPS AND ACCEPTANCE OF SAME
INTO THE COUNTY WATER/SEWER SYSTEMS...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to authorize the release of Maintenance Bonds which provided surety for the installation of water and/or sanitary sewer main extensions to serve the following locations in Miami and Union Townships and to accept said water and/or sanitary sewer main extensions into the County Water/Sewer Systems pursuant to the Clermont County Sewer District Rules and Regulations:

Subdivision/Location	Township	Water	Sewer
Ashton Woods Section 2 DC# 03-0606-001	Miami		\$2,800.00
Ashton Woods Section 2B DC# 03-0718-005	Miami		\$1,000.00
Ponder Woods* *Secured by Irrevocable Standby Letter of Credit Number 602005361-C, issued by Union Savings Bank, 8534 East Kemper Road, Cincinnati, Ohio 45249-3701. DC# 02-1108-002	Union	\$2,500.00	
Orchard Valley Section 7 DC# 03-0603-001	Miami	\$1,000.00	

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: COUNTY ENGINEER...CHANGE ORDER NUMBER 1 TO THE
CONTRACT WITH BARRETT PAVING MATERIALS, INC. FOR
PROJECT NUMBER MI-17-02 RELATIVE TO THE PRICE ROAD AND
LOVELAND MIAMIVILLE ROAD INTERSECTION IMPROVEMENTS,
PHASE 3 AND 4 PROJECT LOCATED IN MIAMI TOWNSHIP...04-0622-
005...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 1 to the Contract with Barrett Paving Materials, Inc., 7374 Main Street, Cincinnati, Ohio 45244, previously ratified by the Board on 08/17/04, for Project Number MI-17-02 relative to the Price Road and Loveland Miamiville Road Intersection Improvements, Phase 3 and 4 Project located in Miami Township,

which represents an increase in the amount of \$23,421.93 for a total adjusted contract price to date of \$766,990.15 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...CHANGE ORDERS NUMBER 1 AND 2 TO THE CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR PROJECT NUMBER RS-01-04 RELATIVE TO THE 2004 ROAD RESURFACING PROJECT LOCATED IN VARIOUS TOWNSHIPS...04-0319-005...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Orders Number 1 and 2 to the Contract with John R. Jurgensen Company, 11641 Mosteller Road, Cincinnati, Ohio 45241, previously ratified by the Board on 06/01/04, for Project Number RS-01-04 relative to the 2004 Road Resurfacing Project located in various townships, which represent increases in the amount of \$28,480.00 and \$164,807.72, respectively, for a total adjusted contract price to date of \$1,237,987.07 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...RECORD PLAT NUMBERS 629-2245 AND 629-2246 FOR VARIOUS SUBDIVISIONS LOCATED IN BATAVIA AND UNION TOWNSHIPS AND COMBINED PERFORMANCE-MAINTENANCE BONDS AND PERFORMANCE BONDS FOR SIDEWALKS AS SURETY FOR SAME...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Numbers **629-2245 and 629-2246** for the following subdivisions located in Batavia and Union Townships and further to execute the Combined Performance-Maintenance Bonds and Performance Bonds for Sidewalks as surety for same relative to the construction of the below listed streets:

Subdivision/Location	Performance/Maintenance	Sidewalk	Streets/Length (miles)
Crosspointe PUD Section Three, Block A Batavia Township Record Plat 629-2245 DC# 04-1119-003	\$17,000.00/\$8,000.00	\$31,350.00	Legacy Greens Drive (0.16) Picketside Drive (0.03)
Shayler Crossing Two Section 4, Block B Union Township Record Plat 629-2246 DC# 04-1119-006	\$9,000.00/\$8,000.00	\$18,260.00	Woodchase Trail (0.06) Bobwhite Drive (0.08)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: COUNTY ENGINEER...HAWTHORNE MEADOWS
SUBDIVISION/SECTION 3/MIAMI TOWNSHIP...RESOLUTION
NUMBER 197-04/CONVERSION OF COMBINED PERFORMANCE-
MAINTENANCE BOND FOR SAME...02-1125-005...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **197-04** to convert the Combined Performance-Maintenance Bond in the amount listed below as surety, for the construction of streets in the stated lengths within the following subdivision in Miami Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision/Location	Performance/Maintenance	Street/Length (miles)
Hawthorne Meadows Section 3 Miami Township Secured by Irrevocable Standby Letter of Credit Number OSB.002021 issued by The Huntington National Bank, International Operations, 7 Easton Oval, Columbus 43219	\$43,000.00/\$15,000.00	Delfair Lane (0.277) Lela Lane (0.098)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: COUNTY ENGINEER...RECORD PLAT NUMBERS 629-2247 THROUGH
629-2250 FOR THE REPLAT OF LOTS FOR VARIOUS SUBDIVISIONS
LOCATED WITHIN BATAVIA, MIAMI AND UNION
TOWNSHIPS...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Numbers **629-2247 through 629-2250** for the Replat of Lots for the following subdivisions within Batavia, Miami and Union Townships:

Subdivision/Location	Record Plat Number	Reason for Replat
Replat of Lot 90 Orchard Valley Subdivision Section 4 Miami Township DC# 04-1117-003	629-2247	For the addition of a 10’ wide utility easement and a 10’ wide private water easement
Replat of Lots 12 & 13 Mil-Haven Subdivision Batavia Township DC# 04-1117-004	629-2248	To combine old lot numbers 12 & 13 to create new lot 27
Replat of Lots 17 & 26 Woodland View Subdivision	629-2249	To create new lots 27 & 28

Section III Union Township DC# 04-1117-005		
Replat of Lots 9 and 11 Gorman Commerce Park River Valley Road Union Township DC# 04-1119-002	629-2250	To create lots 16 and 17 out of old lot 9, and to create lots 12, 13, 14 and 15 out of old lot 11

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 198-04/RESOLUTION AUTHORIZING THE PARTIAL DEFEASANCE OF THE COUNTY OF CLERMONT, OHIO \$14,950,000.00 VARIOUS PURPOSE REFUNDING AND IMPROVEMENT BONDS, SERIES 2003A, AND AUTHORIZING THE EXECUTION OF AN ESCROW DEPOSIT AGREEMENT...03-0717-005...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Controller, Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **198-04** to authorize the partial defeasance of the County of Clermont, Ohio \$14,950,000.00 Various Purpose Refunding and Improvement Bonds, Series 2003A, previously ratified by the Board on 07/15/03 by Resolution Numbers 130-03 through 134-03 which authorized the “Various Purpose Refunding and Improvement General Obligation Bonds, Series 2003”, issued in the aggregate amount of \$17,515,000.00, of which \$14,950,000.00 was identified as Series 2003A Bonds and \$2,565,000.00 was identified as Series 2003B Bonds, to defease the outstanding principal in an aggregate amount of \$9,765,000.00 for the Series 2003A Bonds related to road improvements, on or before 12/01/04 in the maturing amounts as outlined, to utilize the Ohio Department of Transportation funds as specified in Resolution 149-04, previously ratified by the Board on 09/08/04; and further, to appoint The Huntington National Bank, the Bond Registrar and Paying Agent for the Series 2003A Bonds, to be the Escrow Deposit Trustee for the partial defeasance, and to authorize the County Administrator to enter into an Escrow Deposit Agreement with The Huntington National Bank, as Escrow Deposit Trustee, for the partial defeasance of the Series 2003A Bonds and any other documents necessary in and as it relates thereto for the partial defeasance of the bonds in a form approved by the County Prosecuting Attorney and Peck, Shaffer and Williams LLP, as Bond Counsel and to authorize Peck Shaffer and Williams LLP to act as agent for the County for the purchase of U.S. Treasury Securities – State and Local Government Series (SLGS) for the defeasance of the bonds.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 199-04/RESOLUTION SETTING HEARING DATE AND DIRECTING CLERMONT COUNTY ENGINEER TO PREPARE AND SUBMIT A REPORT IN CONNECTION WITH PROPOSED IMPROVEMENTS TO PORTIONS OF DENNY DRIVE AND DEE-DEE LANE LOCATED IN PIERCE TOWNSHIP, CLERMONT COUNTY, OHO, AS PROVIDED FOR BY CHAPTER 5555 OF THE OHIO REVISED CODE...04-0510-005...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to adopt Resolution Number **199-04** resolving to set the hearing date for the proposed improvements to portions of Denny Drive and Dee-Dee Lane located in Pierce Township, Clermont County, Ohio, consisting of the widening and paving of the existing un-improved roadways and the construction of various storm drainage improvements, subsequent to the viewing of those portions of the afore stated roadways on Monday, November 1, 2004; further resolving to direct the County Engineer to prepare and submit a report consisting of surveys, plats, profiles, cross sections, estimates of cost, and specifications, together with an estimated assessment, based upon the estimates of cost, upon the lands benefitted by such improvements, before the close of business on Monday, November 29, 2004; and further resolving to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation for two (2) consecutive weeks commencing Thursday, December 2, 2004, stating the date, time, and location of the public hearing to be held thereon for the purpose of receiving comments in favor of or in opposition to the aforementioned proposed improvements and to such estimated assessments therefore pursuant to and in compliance with Chapter 5555 of the Ohio Revised Code. Public Hearing to be held on **Tuesday, December 14, 2004, at 3:00 P.M. Local Time** in the Office of the Board of Clermont County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS...ACCEPTANCE OF PROPOSAL FROM ARTHUR J. GALLAGHER AND COMPANY RELATIVE TO PROPERTY, CASUALTY AND LIABILITY INSURANCE FOR THE COUNTY OF CLERMONT, OHIO...04-1119-001...ACCEPTED

LET THE RECORD SHOW: *Thomas L. Blust, Assistant Prosecuting Attorney, and Kevin Fink of Arthur J. Gallagher and Company provided a brief overview of the County's proposed Property, Casualty and General Liability Insurance for Fiscal Year 2005*

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, and Thomas L. Blust, Chief Assistant Prosecuting Attorney, to accept the proposal identified as St. Paul's and Traveler's Insurance Companies as it relates to the purchase of property, casualty and liability insurance for the County of Clermont, Ohio, for the period of 01/01/05 through 12/31/05, as indicated and entitled *Property & Liability Insurance Risk Management Program Renewal* submitted by Arthur J. Gallagher and Company, MK Ferguson Plaza, 1500 West Third Street, Suite 405, Cleveland, Ohio 44113, at an annual premium of \$618,653.00 and further to authorize David L. Spinney, County Administrator, to execute any and all documents in and as it relates thereto including the Coroner=s Professional Liability Insurance and the rejection of Uninsured/Underinsured Motorists Liability and Property Damage Coverage.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 200-04/RESOLUTION GRANTING ANNEXATION OF 7.642 ACRES OF

**LAND OWNED BY VIVIAN LIPARI, ET AL. TO THE VILLAGE OF
AMELIA IN CLERMONT COUNTY, OHIO...04-1021-002...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Pursuant to Section 709.023 (D) of the Ohio Revised Code, the Board of County Commissioners adopt Resolution Number **200-04** resolving to grant the Petition for Annexation of 7.642 Acres of Land situated within Batavia Township to the Village of Amelia, Clermont County, Ohio, filed in the Office of the Board of County Commissioners on Thursday, October 21, 2004, at 3:56 P.M., by Christine J. Patterson, for and on behalf of Richard A. Paolo, Attorney at Law, with Aronoff, Rosen & Hunt, 2200 U.S. Bank Tower, 425 Walnut Street, Cincinnati, Ohio 45202, the designated Agent for the Petitioners, Vivian Lipari, 53 Amelia Olive Branch Road, Amelia, Ohio 45102 (PIN 032023E026/4.311 Acres), George Husted, 43 Amelia Olive Branch Road, Amelia, Ohio 45102 (PIN 032023E047/1.150 Acres), and Donohoo-Williams Investments, Ltd, whose mailing address is 3828 Round Bottom Road, Cincinnati, Ohio 45244 for real property located at 61 Amelia Olive Branch Road, Amelia, Ohio 45102 (PIN 032023E059/2.331 Acres), and the sole owners of the real estate sought to be annexed.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ACKNOWLEDGMENT OF
RECEIPT OF RESOLUTION OF THE BOARD OF FRANKLIN
TOWNSHIP TRUSTEES RELATIVE TO THE VACATION OF
HOPEWELL ROAD, SMYRNA ROAD, AND HOPEWELL SPUR ROAD
OR PORTIONS THEREOF; ACCEPTANCE OF THE PRELIMINARY
REPORT OF THE COUNTY ENGINEER RELATIVE THERETO; AND
ESTABLISHMENT OF THE DATE, TIME, AND LOCATION OF THE
PUBLIC HEARING PURSUANT TO CHAPTER 5553 OF THE OHIO
REVISED CODE...04-1013-003, 04-1013-004, & 04-1013-005...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to acknowledge receipt of the resolution of the Board of Franklin Township Trustees on 11/15/04 requesting the Board of County Commissioners to vacate Hopewell Road, Smyrna Road, and Hopewell Spur Road or portions thereof as described therein; to accept the preliminary report of the County Engineer dated 11/22/04 in and as it relates to the afore stated request; and to establish the date, time and location of the public hearing therefore pursuant to and in compliance with Chapter 5553 of the Ohio Revised Code. Public Hearing to be held on **Tuesday, December 14, 2004, at 2:00 P.M. Local Time** in the Office of the Board of Clermont County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: CLERMONT COUNTY CLERK OF COURTS...MAINTENANCE
AGREEMENTS FOR THE PROVISION OF MAINTENANCE ON
OFFICE EQUIPMENT...04-1117-006...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners

approve the following recommendation:

Request from the following department to execute Maintenance Agreements with the following vendor for the provision of maintenance on the following equipment at the rates and the terms outlined below, pursuant to the terms and conditions set forth therein:

Department	Vendor	Equipment/Model #/ Serial Number(s)	Rate	Term
Clermont County Clerk of Courts	ABS Business Products, Inc. 10855 Medallion Drive Cincinnati, Ohio 45241	Toshiba E160 Copier S/N: CJF320493	\$297.00 plus \$.015 per copy over 19,800 copies	12/02/04 through 12/01/05
		Toshiba E160 Copier S/N: CJF320494	\$297.00 plus \$.015 per copy over 19,800 copies	12/02/04 through 12/01/05

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
ACTIONS FOR FISCAL YEAR 2004...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2004 (Resolution Number 226-03) and/or interfund transactions as outlined in the following table(s) and authorize Linda Fraley, County Auditor, to properly record same:

TRANSFER OF FUNDS:

\$ 200.00	From General Fund 100-1028-6100 to 100-1028-6300 (Auditor – BMV Maintenance & Repair to Utilities)
\$ 5,300.00	From General Fund 100-1301-6100 to 100-1014-5700 (Technology, Communication, & Security Maintenance & Repair to Capital Expenditures – General Fund Materials & Supplies)
\$ 11,100.00	From General Fund 100-1301-6100 to 100-1014-6600 (Technology, Communication, & Security Maintenance & Repair to Capital Expenditures – General Fund Capital Outlay)
\$ 2,400.00	From General Fund 100-2250-5300 to 100-2250-5700 (Municipal Court Purchased Services to Materials & Supplies)
\$ 600.00	From General Fund 100-2250-5300 to 100-2250-6300 (Municipal Court Purchased Services to Utilities)
\$ 1,200.00	From General Fund 100-3090-6100 to 100-3090-6300 (Tax Map – Auditor Maintenance & Repair to Utilities)
\$ 5,000.00	From Motor Vehicle & Gas Tax Fund 206-3091-5300 to 206-3091-5700 (Engineer Purchased Services to Materials & Supplies)
\$ 35,000.00	From Motor Vehicle & Gas Tax Fund 206-3095-6600 to 206-3093-5700 (Engineer Bridge II Capital Outlay to Engineer – Bridges Materials & Supplies)
\$ 200.00	From Solid Waste Management Fund 217-5012-5200 to 217-5012-5112 (Litter Control & Recycling Fringe Benefits to Regular Salary)

\$ 2,500.00	From Park District Fund 226-9700-6100 to 226-9700-5300 (Maintenance & Repair to Purchased Services)
\$ 7,000.00	From Fleet Maintenance Fund 811-8610-5121 to 811-8610-5700 (Overtime to Materials & Supplies)
\$ 2,600.00	From Fleet Maintenance Fund 811-8610-5300 to 811-8610-5700 (Purchased Services to Materials & Supplies)

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2004:

\$ 10,500,000.00	Motor Vehicle & Gas Tax Fund Contingent upon issuance of an Amended Certificate by Budget Commission 11/22	206-3092-7000	Reimb/Transfers/AdvBudget
\$ 100.00	Peggy Drive Special Assessment Fund	512-1029-6500	Debt Service
\$ 2,539.00	Bell’s Lane Special Assessment Fund	521-1029-6500	Debt Service
\$ 1,334.00	Woodspoint Drive Fund	523-1029-6500	Debt Service
\$ 75,000.00	Fleet Maintenance Fund Contingent upon issuance of an Amended Certificate by Budget Commission 11/22	811-8610-5700	Materials & Supplies

CASH TRANSFER OF FUNDS:

\$ 6,400.00	From Children Service Levy Fund 213-6243-7220 to Children Services Fund 208-0208-4821
\$ 2,530.00	From Water Revenue Fund 601-8550-7240 to 1989 Water Line Extension Special Assessment Fund 511-0511-4871
\$ 1,887.00	From Water Revenue Fund 601-8550-7240 to 1990 Water Line Extension Special Assessment Fund 513-0513-4871
\$ 7,667.00	From Water Revenue Fund 601-8550-7240 to Gibson Road Water Extension Assessment Fund 525-0525-4871
\$ 14,072.00	From Sewer Revenue Fund 602-8530-7240 to O’Bannon Sewer Special Assessment Fund 510-0510-4871

REIMBURSEMENT OF FUNDS:

\$ 74,408.34	From Child Support Enforcement Administration Fund 228-6180-7220 to Public Assistance Fund 204-0204-4821
\$ 1,450.16	From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7003
\$ 1,895.58	From Public Assistance Fund 204-6240-7220 to Family & Children First Fund 944-0944-4821-7004

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2004 and any and

all amendments subsequent thereto:

OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY

Jim Webster: Three (3) days – Blue Ash, Ohio – Attend course entitled “2524C Developing XML Web Services using Microsoft ASP.Net.” – Total expenses not to exceed \$1,275.00.

BOARD OF COUNTY COMMISSIONERS

David L. Spinney: Six (6) days – San Diego, California – International City/County Manager’s Association 90th Annual Conference - Total *revised* expenses not to exceed \$2,474.50.

PROSECUTING ATTORNEY/MUNICIPAL DIVISION

Rebecca Heimlich: One (1) day – Columbus, Ohio – Ohio Academy Criminal Defense Lawyers Seminar entitled “Ohio’s New OVI/Traffic Laws” - Total expenses not to exceed \$350.00.

CLERMONT COUNTY SEWER DISTRICT

Barry Pollard and Tim Cherry: One (1) day – Coshocton, Ohio – Clow Pipe Seminar – Total expenses not to exceed \$70.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Brenda Gilreath and Jemina Ott: One (1) day – Xenia, Ohio – Ohio Child Support Directors Association Cincinnati District Meeting – Total expenses not to exceed \$111.38.

Tim McCartney: Four (4) days – Columbus, Ohio – County Commissioner’s Association of Ohio Winter Conference – Total expenses not to exceed \$50.00.

COUNTY TREASURER

J. Robert True, Connie Bare, Rhonda Meagher and Gael Fawley: One (1) day – Lebanon, Ohio – Southwest Ohio Treasurer’s Association Winter Meeting - Total expenses not to exceed \$80.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: PERSONNEL ACTION FORMS...APPROVED

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to approve the following personnel actions:

DEPARTMENT OF JOB AND FAMILY SERVICES

Wilma J. Yazell: PA #13504 – Clerical Specialist – Change/Rate/Step Increase - Effective 12/10/2004.

Laura Newberry: PA #13505 – Income Maintenance Worker 3 - Change/Rate/Step Increase - Effective 12/19/2004.

Mary M. Bene: PA #13497 – Income Maintenance Worker 3 - Change/Rate/Longevity Increase - Effective 11/29/2004.

Joan D. Young: PA #13498 – Social Services Worker 3 - Change/Rate/Longevity Increase - Effective 11/29/2004.

Brook L. Lorthioir: PA #13499 - Social Services Worker 3 - Change/Rate/Longevity Increase - Effective 12/06/2004.

Ruth N. Owens: PA #13500 - Social Services Worker 2 - Change/Rate/Longevity Increase - Effective 12/06/2004.

Connie L. Childers: PA #13501 – Income Maintenance Aide 2 - Change/Rate/Longevity Increase - Effective 12/13/2004.

Shonna L. Crooks: PA #13502 – Investigator 3 - Change/Rate/Longevity Increase - Effective 12/13/2004.

Elizabeth D. Shields: PA #13503 - Income Maintenance Worker 3 - Change/Rate/Longevity Increase - Effective 12/20/2004.

Lonnie D. Brock: PA #13506 – Social Services Worker 3 – Change/End of Probation – Effective 11/08/2004.

Hardenia Davisson: PA #13511 – Account Clerk 2 – Change/Extend Probationary Period – Effective 11/24/2004.

CLERMONT TRANSPORTATION CONNECTION

Melissa O’Farrell: PA #13507 – Clermont Transportation Connection Director – Separation/Retired – Effective 12/31/2004.

CLERMONT COUNTY SEWER DISTRICT

John S. Adams: PA #13508 – WSD Operations Technician – Separation/Cancel Appointment – Effective 11/17/2004.

OFFICE OF PUBLIC INFORMATION

Jeff Pulliam: PA #13512 – Telecommunications Specialist – Appointment/Full Time Permanent – Effective 11/29/2004.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mrs. Walker, Yes; Mr. Crowell, Yes.

**IN RE: BUILDING INSPECTIONS DEPARTMENT...REQUEST OF
THE PROSECUTING ATTORNEY TO SEEK AN
INJUNCTION PURSUANT TO SECTION 330.1-3 OF THE
CLERMONT COUNTY WATER MANAGEMENT AND
SEDIMENT CONTROL REGULATIONS RELATIVE TO
MYSTIC WOODS SUBDIVISION LOCATED IN PIERCE
TOWNSHIP...04-1124-001...APPROVED**

LET THE RECORD SHOW: *Ray Sebastian, Director, Building Inspections Department, provided the Board with an overview of the proposed injunction. James Calvert, a downstream resident of the Mystic Woods Subdivision, addressed the Board in regards to flooding issues caused by Mystic Woods Subdivision. He asked that the Commissioners help protect his property and to get the Subdivision back in compliance with the Regulations.*

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Director, Building Inspections Department, with the concurrence of David L. Spinney, County Administrator, to request that the Clermont County Prosecutor seek an injunction pursuant to Section 330.1-3 of the Clermont County Water Management and Sediment Control Regulations relative to enforcement of the Regulations at Mystic Woods Subdivision, formerly known as Maple Leaf Gardens Subdivision, located in Pierce Township.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

LET THE RECORD SHOW: A MOTION BY MR. PROUD, SECONDED BY MRS. WALKER, TO GO INTO EXECUTIVE SESSION AT 12:45 P.M. PURSUANT TO SECTION 121.22(G)(4) OF THE OHIO REVISED CODE REGARDING COLLECTIVE BARGAINING CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 1:35 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Croswell, to approve the minutes of Regular Session of **10/23/04** carried with all members present voting.

IN RE: ADJOURNMENT...

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

MARY C. WALKER, PRESIDENT

ROBERT L. PROUD, VICE PRESIDENT

R. SCOTT CROSWELL III, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

11/23/04
DATE APPROVED